IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 2899 of 2004

Between:

Dasari Somasekhara Reddy, S/o. Appala Reddy, Occ: Business, MPTC Member, from Ward No. 27, R/o. H.No. 18-97, Dhawaleshwaram Village & Mandal, East Godavari District.

... PETITIONER

AND

1 The Government of A.P., Rep. by its Commissioner, Prohibition & Excise,

Nampally, Hyderabad.
2 The Superintendent, Prohibition & Excise, Kakinada, East Godavari District.
3 The Inspector of Prohibition & Excise, Kakinada, East Godavari District.
4 Dhawaleswaram Gram Panchyati, Rep. by its Secretary, Dhawaleswaram

Village & Mandal, East Godavari District.
5 Yedla Mahalaxmi, W/o. Srinivasa Rao,
R/o. D. No. 11-59, Car Street, Dhawaleswaram, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, writ or writs, particularly one in the nature of " Writ of Mandamus" and declare the action of the respondents 1d to 3 in proposing to issue bar licence under IL 17 in favour of 5th respondent without considering the objections raised by the petitioner and other local people is illegal, arbitrary, against the provision of Excise Act and Rules thereunder consequently direct the respondents not to issue any licence under IL 17 in favour of 5th respondent to open a bar in H.No. 18-96, Dhawaleswaram Village, East Godavari District, without considering the objections raised by the local people

Counsel for the Petitioner: MR.K.L.N.SWAMY

Counsel for the Respondents 1 to 3: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.4: MR DAMMALAPATI SRINIVAS
Counsel for the Respondent No.5: Sri K.Sarva Bhouma Rao

The Court made the following order:

ORDER:

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Learned counsel for the petitioner submits that the subject matter of the writ petition has become infructuous as the bar licence under IL 17 was already granted in favour of the contesting respondent.

Recording the above submission the writ petition is accordingly dismissed as having become infructuous. No costs.

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V. ESWARAIAH, J

April 11, 2005

Dsk

To

1 The Government of AP. rep. by its Commissioner Prohibition & Excise,

Nampally, Hyderabad
2 The Superintendent, Prohibition & Excise Kakinada, East Godavari Dist
3 The Inspector of Prohibition & Excise, Kakinada, East Godavari District
4 The Secretary, Dhawaleswaram Gram Panchayathi Dhawaleswaram

Village & Mandal, East Godavari District

5 Two CCs to GP For Prohibition & Excise, High Court Buildings, Hyderabad

(OUT)

Two CD Copies.